

DOCKET NO. 7732-022-27



AF ✓ JZW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Beth P. GOLDSTEIN, et al.

ART UNIT: 1631

SERIAL NO.: 09/120,030

EXAMINER: Michael L. Borin

FILING DATE: July 21, 1998

FOR: METHOD FOR THE TREATMENT OF STAPHYLOCOCCAL DISEASE

NOTICE OF APPEAL

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated **September 17, 2004**.

The items checked below are appropriate:

- A Request for Extension of Time Under 37 C.F.R. 1.136 was filed for ____ months.
- A timely response to the final rejection was filed on _____.
- A Request for Extension of Time for filing the Notice of Appeal is attached.

Fee: \$500.00 (large entity) \$250.00 (Applicant claims small entity status.)

- Is enclosed.
- Please charge Deposit Account No. 50-1442 (an additional copy of this Notice is enclosed).
- Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 50-1442. A duplicate copy of this Notice is enclosed.
- If this Notice is not considered timely by the U.S. Patent and Trademark Office, then a request is hereby made under 37 C.F.R. 1.136, and any additional fees required for any necessary extension of time may be charged to Deposit Account No. 50-1442. A duplicate copy of this Notice is enclosed.

Respectfully submitted,

PIPER JAFFRAY LLP

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DOCKET NO.: 7732-022-27

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/120,030
Applicant(s): Beth P. GOLDSTEIN, et al.
Filing Date: July 21, 1998
For: METHOD FOR THE TREATMENT OF STAPHYLOCOCCAL
DISEASE
Group Art Unit: 1631
Examiner: Michael L. Borin

SIR:

Attached hereto for filing are the following papers:

Fee Transmittal
Notice of Appeal

Our check in the amount of \$ 250.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

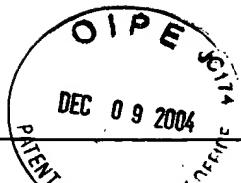
Respectfully submitted,

PIPER RUDNICK LLP



Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Christopher W. Raimund
Registration No.: 47,258



FEE TRANSMITTAL FY 2005

								Docket No.	7732-022-27					
								Serial No.	09/120,030					
								Filing Date	July 21, 1998					
								Inventor(s)	Beth P. GOLDSTEIN, et al.					
								Group Art Unit	1631					
TOTAL AMOUNT OF PAYMENT				\$250.00		Examiner		Michael L. Borin						
<p>1. <input checked="" type="checkbox"/> Applicant claims small entity status.</p> <p><input checked="" type="checkbox"/> Charge any <u>UNDERPAYMENT</u> or credit any <u>OVERPAYMENT</u> in the indicated fees to Deposit Account No. 50-1442.</p> <p><input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.</p>								FEE CALCULATION (continued)						
								3. ADDITIONAL FEES						
								Large Entity		Small Entity		Fee Description		
2. <input checked="" type="checkbox"/> Check enclosed.								Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid		
FEE CALCULATION								1051	130	2051	65	Surcharge-late filing fee or oath		
1. BASIC FILING FEE								1053	130	1053	130	Non-English Specification		
Large Entity		Small Entity		Fee Description				1251	120	2251	60	1-mo. ext. of time		
Code	Fee \$	Code	Fee \$					Fee Paid	1252	450	2252	225	2-mo. ext. of time	
1011	300	2011	150	Utility Filing Fee					1253	1020	2253	510	3-mo. ext. of time	
1012	200	2012	100	Design Filing Fee					1254	1590	2254	795	4-mo. ext. of time	
1013	200	2013	100	Plant Filing Fee					1255	2160	2255	1080	5-mo. ext. of time	
1014	300	2014	150	Reissue Filing Fee					1401	500	2401	250	Notice of Appeal \$250.00	
1005	200	2005	100	Provisional Filing Fee					1402	500	2402	250	Appeal Brief	
1111	500	2111	250	Utility Search Fees					1403	1000	2403	500	Request for Oral	
1311	200	2311	100	Utility Examination Fees					1501	1400	2501	700	Utility/Reissue Issue	
SUBTOTAL								1504	300	1504	300	Publication Fee		
2. EXTRA CLAIM FEES								8001	3	8001	3	Advance Copy of Patent		
tot. claims		-	20*	=	x	\$25	=		1806	180	1806	180	IDS Submission	
ind. claims		-	3*	=	x	\$100	=		8021	40	8021	40	Assignment Recordation	
<input type="checkbox"/> Multiple Dependent Claims \$180 =								1801	790	2801	395	For Filing RCE		
SUBTOTAL								1814	130	2814	65	Terminal Disclaimer		
3. APPLICATION SIZE FEES								Other:						
Total # of Sheets				# of Extra Sheets										
-		100	=											
# of each additional 50 sheets or fraction thereof (round up)		Fee		Total Fee Due								SUBTOTAL	\$250.00	
x		\$125	=	\$										

Name	Steven B. Kelber				Registration No.	30,073	
Signature					Date	DEC. 9, 2004	
Name	Christopher W. Raimund				Telephone	202-861-3900	